

LUMMI NATION
AWARENESS PROJECT

ON

PACIFIC INTERNATIONAL TERMINAL

The Awareness Project seeks to inform Lummi tribal members about the port development proposed by Pacific International Terminals, Inc. (PIT) near the Lummi Reservation’s northern border.

- **The Lummi Nation has decided to not support or oppose the proposed development.**
- We will work with other governmental agencies and non-governmental organizations to make an informed decision once a federal environmental impact study is completed.

THE PERMITTING PROCESS AND HOW YOU CAN GET INVOLVED

Lummi tribal members, interest groups and individuals throughout Whatcom County and Washington State are paying close attention to developments associated with the proposed Gateway Pacific Terminal project. People inside and outside the Lummi Nation are taking an interest in the required environmental impact studies associated with the permitting process.

In this issue, we report on what that permitting process will be, and how Lummi tribal members can get involved more directly. The **Lummi Nation Cherry Point Team** will remain actively involved to ensure that potential impacts on the Lummi Nation are identified and fully evaluated. The additional participation of Lummi tribal members is important and welcomed at every step.

PERMITTING PROCESS OVERVIEW

The October 19, 2011 and February 2, 2012 General Council meetings provided tribal members the opportunity to ask questions about the proposed development and the environmental review and permitting processes.

Attendees of the February 2012 meeting heard that there are four steps in the permitting process.

- Step 1: Permit Application**
- Step 2: Environmental Review**
- Step 3: Permit Decision**
- Step 4: Permit Appeal/Court Challenges**

We will review the **Permit Application** and **Environmental Review** stages in this issue.

The overall process could take as many as 7 to 15 years to complete. The Environmental Impact Statement (EIS) and associated scientific studies are not expected to start until June 2012 and will take at least two years to finish.

The next General Council meeting focused on the proposed development is scheduled for MAY 30 at 5:30 P.M. AT THE SILVER REEF PAVILION

PERMITTING PROCESS

Contract EIS Consultant(s)	March 2012
EIS Scoping	June 2012
Draft EIS	March 2014
Comment Period, Response to Comments, Additional Study	December 2014
Final EIS	June 2015
Decisions and Appeals	December 2015
Resolution of Appeals	December 2018

The new Awareness Project website is under construction, but please keep an eye out for it on www.lummi-nsn.gov.

In next month’s edition of the Squol Quol, the Awareness Project will focus on a side-by-side comparison of some of the positive and negative potential impacts of the proposed project.

STEP

1

PERMIT APPLICATION

Although it is one project, two separate permit applications were submitted to the U.S. Army Corps of Engineers about a year ago, one from SSA Marine and the other from Burlington Northern-Santa Fe (BNSF) Railway Company. The application from BNSF was submitted because additional rail infrastructure will be needed to extend service to the facility and support the increased train traffic. These two separate (but related) permit applications will result in two separate permit decisions; the Corps will issue both. County and state permits are also needed for the proposed project.

ENVIRONMENTAL REVIEW

A

Managed By Interagency Working Group

The primary permitting agencies are coordinating their efforts through an interagency working group comprised of representatives from the U.S. Army Corps of Engineers, the Washington State Department of Ecology, and Whatcom County.

B

Environmental Impact Statement

Under the National Environmental Policy Act (NEPA), an Environmental Impact Statement (EIS) is required for proposed developments that have significant potential to affect environmental quality. Because the proposed SSA Marine and BNSF projects are inter-related, a single EIS will be performed to evaluate the two permit applications. This single EIS will meet both federal and state project evaluation requirements. **The final version of the full EIS will not be completed for at least two years.** Before starting and finishing the EIS document, the permitting agencies are required to offer opportunities for public participation, including at public meetings and through written comments.

C

Seeking Independent Contractor

The interagency working group is in the process of identifying an independent contractor who can complete the necessary studies to better determine the potential impacts of the proposed development as well as measures to avoid or minimize impacts, and mitigate unavoidable impacts. Proposals were due on February 14, 2012 and the contract is expected to be awarded in March.

The **Lummi Nation Cherry Point Team** will continue to be deeply involved in all steps of this process and will keep Lummi tribal members informed through the Awareness Project. The Team is also coordinating Lummi’s own research and studies, including contracting an independent review about the potential impacts of increased vessel traffic on Lummi treaty fishers.

D

EIS Scoping

In May or June 2012, the interagency working group and its selected contractor will ask for public input about what impacts to evaluate as part of the EIS. In addition to environmental issues, the EIS must evaluate social and economic factors and the cumulative effects of the proposed project.

At least three public meetings will occur in Washington State and potentially two of these meetings will be held in Whatcom County. Written comments will also be invited. The **Lummi Nation Cherry Point Team** will keep tribal members informed of these opportunities and will discuss additional details about the scoping process at the May 30 General Council meeting, which will likely be held just before the EIS scoping process starts.



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